IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Nemawarkar et al.

Attorney Docket No.: NWISP042

Application No.: 10/635,744

Examiner: Phuoc H. Nguyen

Filed: August 5, 2003

Group: 2143

Title: COMMUNICATION BETWEEN AND

Confirmation No.: 9662

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CERTIFICATE OF TRANSMISSION

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TERMINAL DISCLAIMER UNDER 37 C.F.R. § 1.321 TO OBVIATE AN OBVIOUSNESS-TYPE **DOUBLE PATENTING REJECTION**

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Sir:

The owner(s), Newisys, Inc., of the entire interest in the above-identified application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the above-identified application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. §§154 to 156 and §173 as to claims 16-25 of prior United States Patent No. 7,117,419 and as to claims 15-25 of prior United States Patent No. 7,103,823 (hereafter "the prior patents") as presently shortened by any terminal disclaimer. The owner(s) hereby agrees that any patent so granted on the above-identified application shall be enforceable only for and during such period that it and the prior patents are commonly owned. This agreement runs with any patent granted on the above-identified application and is binding upon the grantee, its successors or assigns.

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presently shortened by any terminal disclaimer, in the event that the prior patents later expire for failure to pay a maintenance fee, are held unenforceable, have the above-referenced claims found invalid by a court of competent jurisdiction, are statutorily disclaimed in whole or terminally disclaimed under 37 CFR §1.321, have the above-referenced claims canceled by a reexamination certificate or reissue proceedings, or are in any manner terminated prior to the expiration of their full statutory term as presently shortened by any terminal disclaimer.

The undersigned is an attorney of record.

If the required fees are not enclosed or additional fees are required to facilitate filing of this paper, please charge such fees or credit any overpayment to Deposit Account No. 500388 (Order No. NWISP042).

Respectfully submitted,

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